

Notice of Allowability

Application No.

10/757,444

Examiner

Hoan H. Tran

Applicant(s)

SUDO ET AL.

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 07/17/2006.
2. ☒ The allowed claim(s) is/are 51,53-60 and 62-99.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/059,187.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 07/06, 09/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 51, 53-60 and 62-99 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Claims 51, 53, 54, 56-58, 60 and 62-67

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a recess positioned at the second end of the container body and configured to interface with a retaining member of the image forming apparatus; wherein the container body includes an outer housing and an inner bag.

Claim 55

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a recess positioned at the second end of the container body and configured to interface with a retaining member of the image forming apparatus; wherein the recess is located at a surface edge of the second end.

Claims 59 and 68-71

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a recess positioned at the second end of the container body and configured to interface with a retaining member of the image forming apparatus, a mouthpiece member positioned at the first end's first mouth, said mouthpiece member including a second mouth to allow toner stored in the toner container body to be discharged from the toner container body, and a shutter to control passage of toner through the second mouth; wherein the shutter includes a piston and a biasing member.

Art Unit: 2852

Claims 72-74

None of the prior art of record teaches or suggests a toner replenishing device for use in an image forming apparatus comprising a toner container including a recess arranged on the container body, and a setting portion including a retaining member configured to engage with the recess, a resilient portion configured to support the retaining member and to provide movement of the retaining member from a neutral state.

Claims 75-99

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a support internal to the container body and proximate to the opening, a movable stopper arranged to seal and unseal the toner container, and a coil spring disposed between the support and movable stopper which urges the movable stopper to seal the toner container.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoan H. Tran whose telephone number is (571) 272-2141. The examiner can normally be reached from 8:30 AM - 5:00 PM Monday-Friday.

Art Unit: 2852

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. David Gray can be reached at (571) 272-2119. The central office fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



HHT
Sept. 22, 2006

HOAN TRAN
PRIMARY EXAMINER